

**TOWN OF HAMILTON BOARD OF HEALTH  
REGULATIONS FOR  
THE PRACTICE OF MASSAGE AND THE CONDUCT  
OF ESTABLISHMENTS FOR THE GIVING OF MASSAGE,  
VAPOR, POOLS, SHOWER, OR OTHER BATHS**

The following rules and regulations in addition to section 31 of Chapter 111, and Sections 51 and 53 of Chapter 140 of the General Laws of the Commonwealth of Massachusetts:

**1. DEFINITIONS: FOR THE PURPOSE OF THESE REGULATIONS:**

- A. **Massage:** Shall mean manipulation or conditioning of part or parts of the body by manual, mechanical, or other means as a beauty treatment, for purported health or medical treatment for the purpose of invigoration.
- B. **Establishments for giving massage, vapor, pool, shower of other baths:** Shall mean the office, place of business, or other premises where massage is practiced or where therapeutic or conditioning baths of vapor, or other substances are given.
- C. **Masseur:** Shall mean a male who practices massage.
- D. **Masseuse:** Shall mean a female who practices massage.
- E. **Approved:** Shall mean approved by the Board of Health of the Town of Hamilton in accordance with accepted standards and regulations.

**2. Exceptions and Exclusions: For the purpose of these regulations.**

- A. **Persons Excepted:** Physicians, physical therapists, school athletic trainers, or chiropodists (podiatrists) registered in the Commonwealth of Massachusetts are excluded. A person registered as a barber or an apprentice under the provisions of Section 987H or Section 871 of Chapter 112 of the General Laws, or as a hairdresser, operator, or a student under the provisions of Section 87T to 87J, inclusive, of said Chapter 112 of the General Laws may practice facial and scalp massage without taking out a license.
- B. **Other Persons Excepted:** A person licensed to practice massage or conduct an establishment in any other City or Town in the Commonwealth may, on written orders from a physician, attend patients, specified by the physician, in Hamilton. He shall, if requested, submit to the Board of Health Copies of his license from another community and the physicians' orders.

BOH PRACTICE OF MASSAGE AND THE CONDUCT OF ESTABLISHMENTS  
FOR THE GIVING OF MASSAGE, VAPOR POOLS, SHOWER, OR OTHER BATHS

**C. Establishment Exceptions:** Hospitals, nursing, and convalescent homes, and other similar licensed institutions where massage and baths may be given are excluded from the definition of an establishment.

3. **License Required and Fee:** No person shall practice massage or conduct an establishment for the giving of massage or vapor, pool, shower, or other baths for hire or reward, or advertise or hold himself out as being engaged in the business of massage or the giving of said baths in the Town of Hamilton without receiving a license therefor from the Hamilton Board of Health. The license fee for each establishment shall be Two Hundred and Fifty (\$250.00) Dollars and for each masseur or masseuse shall be Fifty (\$50.00) dollars. A license issued to an establishment, masseur or masseuse is not transferable.
4. **Expiration Date of License:** Licenses shall automatically expire on December of each year. Applications for renewal must be submitted at least thirty (30) days prior to the expiration date.
5. **Requirements for Personal Licensing:** No person shall be licensed to practice massage or conduct an establishment for giving massage, vapor, pool, shower, or other baths unless they (male or female) meet the following requirements:
  - A. Be eighteen (18) years of age or older with proof of birth certificate and two (2) forms of positive identification.
  - B. Be of good moral character.
  - C. Submit to the Board of Health a complete application form containing all information requested on said form.
  - D. Submit to the Board of Health the results of a physical examination, including Mantoux test completed within forty-five (45) days prior to application for licensing or relicensing.
  - E. Submit evidence of having completed a course of study and/or training experience evaluated as equivalent to a five hundred (500) hour course of study in massage therapy; bodywork or movement education.
6. **Requirements for Licensing an Establishment:** Every establishment for the giving of massage or vapor, pool, shower, or other baths shall meet the following standards:
  - A. It shall be connected to a sewage system.
  - B. It shall be well lighted, well ventilated, and properly heated when seasonally indicated.

BOH PRACTICE OF MASSAGE AND THE CONDUCT OF ESTABLISHMENTS  
FOR THE GIVING OF MASSAGE, VAPOR POOLS, SHOWER, OR OTHER BATHS

- C. No room used by the licensee in the conduct of his own business shall be used as a bedroom.
- D. There shall be an adequate supply of hot and cold running water.
- E. There shall be approved toilet and washing facilities within the premises, readily available to the patrons and affording sufficient privacy. If shower facilities are not provided there shall be a sign which shall read:

**NOTICE TO MASSAGE CLIENTS**

**THIS ESTABLISHMENT DOES NOT PROVIDE A SHOWER FOR USE AFTER MASSAGE. IF YOU BELIEVE YOU ARE ALLERGIC TO LOTIONS, OILS OR POWDERS, PLEASE NOTIFY THE MASSAGE THERAPIST PRIOR TO THE MASSAGE.**

- F. Where patrons of both sexes are accommodated, adequate arrangements shall be made for separation of rooms, toilets, and washing facilities used by each sex.
  - G. All rooms of the establishment and furniture and equipment therein shall be kept clean at all times.
  - H. The door of each room or enclosure used for massage purposes shall have a window large enough to permit visual observation of the entire room or enclosure from outside such room or enclosure.
  - I. Each room or enclosure used for the giving of massage services shall have at least one artificial light.
  - J. There shall be adequate facilities for the cleaning and sterilizing of all equipment.
  - K. All equipment, instruments, devices, robes, sheets, blankets, pillow cases, wearing apparel, towels, or other materials, which may come in direct contact with the body, shall be properly cleaned and sterilized.
  - L. No food shall be permitted for sale on the premises used for massage. No alcoholic beverages will be allowed on the premises without special permit from the Board of Health.
  - M. No establishment for the practice of massage or baths as defined herein shall be kept open between the hours of 11:00 p.m. and 9:00 a.m. unless specifically authorized by the Board of Health in writing.
7. **Direct Application of Instruments to Skin Prohibited:** No instrument or device

BOH PRACTICE OF MASSAGE AND THE CONDUCT OF ESTABLISHMENTS  
FOR THE GIVING OF MASSAGE, VAPOR POOLS, SHOWER, OR OTHER BATHS

- designed or used for direct application to the skin shall be applied directly to the skin unless sterilized; the part of the body being treated shall be covered with a clean towel, or else the instrument shall be covered with a clean towel, or else the instrument shall be covered in a similar manner.
8. **Treatment of Wounds Prohibited:** No sponge, stick, alum, or other article liable to convey infection shall be used to make application directly to the skin or any cut or wound.
  9. **Treatment of Persons with Skin Disease Prohibited:** No person licensed shall treat any person afflicted with any skin eruption or other disease unless such person shall have furnished a written certificate from a physician to the effect that the eruption or disease is not of a contagious or transmissible character.
  10. **Cleaning of Hands:** Every person licensed to practice massage shall thoroughly cleanse his hands by washing with soap and hot water immediately before serving a patron
  11. **Display of License:** Every licensed establishment must display in a conspicuous location the licenses of all the licensees operating in the establishment. Picture badge identification must be worn by all employees of the establishment. A list of names and addresses of all employees of the establishment shall be submitted to the Board of Health. Additions and/or deletions may be made on a monthly basis.
  12. **Designation of Name:** No licensed person shall operate under any name or conduct his or her business under any designation not specified on his or her license.
  13. **Use of X-ray Prohibited:** No licensee may operate an x-ray, fluoroscope, or similar equipment or radioactive material for any purpose unless already licensed by the Commonwealth Of Massachusetts to practice a profession requiring the use of radiation equipment. No licensed establishment may contain an x-ray, fluoroscope, or similar equipment unless the equipment is operated only by persons properly licensed to practice a profession requiring the use of such equipment.
  14. **Change of Address:** Every licensee shall notify the Board of Health at least fourteen (14) days prior to any change of address, home or business or name. Any new License or amendment to an existing license required because of the foregoing may be issued without charge at the discretion of the Board of Health
  15. **Inspection:** Every licensee shall permit the Board of Health or its agent or other Town authorities acting in an official capacity to inspect his place of business and his work at any reasonable time.

BOH PRACTICE OF MASSAGE AND THE CONDUCT OF ESTABLISHMENTS  
FOR THE GIVING OF MASSAGE, VAPOR POOLS, SHOWER, OR OTHER BATHS

16. **Records:** Records will be kept and made available to the Board of Health,  
  
specifying the patron's name and the name of the person performing the massage.
17. **Penalties:** Whoever violates any provisions of these regulations shall be punished by a fine of not more than one hundred (\$100.00) dollars or imprisonment for not more than six (6) months or both in accordance with Section 53, Chapter 140 of the General Laws.
18. **Hearings:** A person whose license has been suspended or revoked may within ten (10) days of the suspension or revocation of his license, request in writing, a hearing upon the cause or causes of such suspension or revocation. The Board of Health may set a time and place for said hearing.
19. No person shall practice as a student/apprentice practitioner of massage therapy for gaining practical experience and/or for hire or reward or advertise or hold him/herself as being engaged in the business of massage therapy unless first having been issued a permit pursuant to these regulations.

\_\_\_\_\_  
James Gilmartin, Chairman

Date \_\_\_\_\_, 2002

\_\_\_\_\_  
Karen Rendall

\_\_\_\_\_  
Allen Ikalainen

BOH PRACTICE OF MASSAGE AND THE CONDUCT OF ESTABLISHMENTS  
FOR THE GIVING OF MASSAGE, VAPOR POOLS, SHOWER, OR OTHER BATHS